

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

2014 DEC 17 AM 10:49

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY KKC
DEPUTY

AUSTIN LAWYERS GUILD, CARL §
GOSSETT, DAVID GRASSBAUGH, §
MARK SAMPSON, FRANCIS §
WILLIAMS, AND THE PRISON §
JUSTICE LEAGUE, §
PLAINTIFFS, §

V. §

CAUSE NO. 1:14-CV-366-LY

SECURUS TECHNOLOGIES, INC., §
TRAVIS COUNTY SHERIFF'S OFFICE, §
SHERIFF GREG HAMILTON (IN HIS §
OFFICIAL CAPACITY), TRAVIS §
COUNTY DISTRICT ATTORNEY'S §
OFFICE, DISTRICT ATTORNEY §
ROSEMARY LEHMBERG (IN HER §
OFFICIAL CAPACITY), TRAVIS §
COUNTY ATTORNEY'S OFFICE, AND §
COUNTY ATTORNEY DAVID §
ESCAMILLA (IN HIS OFFICIAL §
CAPACITY), §
DEFENDANTS. §

ORDER

Before the court in the above-styled and numbered cause are Defendants' "Opposed Motion for Protective Order" and "Opposed Motion to Abate Discovery and for Protective Order" filed December 2 and 3, 2014 (Clerk's Doc. Nos. 43 & 44), Plaintiffs' Response to Defendants' Motions filed December 9, 2014 (Clerk's Doc. No. 45), and Defendant Securus Technologies, Inc's Reply in Support of Its Motion filed December 15, 2014 (Clerk's Doc. No. 48). Defendants assert that Plaintiffs' discovery requests are "expansive, wide-reaching, and overbroad in many respects," especially in light of Defendants' pending motions to dismiss. Defendants seek the court to enter an order staying all discovery in this case until the disposition of the pending motions. Plaintiffs

respond that the parties have not conferred about any of Plaintiffs' individual discovery requests; the parties' only conference was in regard to abating discovery altogether, pending the outcome of the motions to dismiss, to which the Plaintiffs did not agree. Plaintiffs also contend that blanket abatement of discovery would cause unnecessary delay, as the motions to dismiss, even if granted in part, are unlikely to dispose of all issues in the case.

After considering the motions and response, the entire case file, and applicable law, the court finds insufficient cause to abate discovery and will not order a complete stay of discovery at this time. Instead, the court will dismiss Defendants motions without prejudice, order the parties to meet and confer about individual discovery requests, and submit a report to the court regarding said conference and a discovery plan that is agreeable to both parties. Accordingly,

IT IS HEREBY ORDERED that Defendants' "Opposed Motion for Protective Order" and "Opposed Motion to Abate Discovery and for Protective Order" (Clerk's Doc. Nos. 43 & 44) are **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the parties shall meet and confer regarding Defendants' individual discovery objections and shall work toward establishing a discovery plan to which all parties agree.

IT IS FINALLY ORDERED that the parties shall file, **no later than January 30, 2015**, a joint report detailing the result of the discovery conference and presenting an agreed discovery plan which shall govern discovery during the pendency of this case.

SIGNED this 17th day of December, 2014.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE